

THIS IS THE BEGINNING OF MUR # 3161

2000-11-11



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2015 DEC -5 PM 4:46

December 6, 2016

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *Smith for*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Aimee Wechsler *AN*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2016 October Quarterly Report  
(Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 October Quarterly Report (Election Sensitive) in accordance with 52 U.S.C. § 30104(a). The October Quarterly Report was due on October 15, 2016.

Under the Administrative Fine Program, the October Quarterly Report is considered an election-sensitive filing for authorized committees supporting candidates involved in the general election as well as all unauthorized committees. For the committees listed on the attached RTB Circulation Report, the October Quarterly Report was an election-sensitive filing. The committees either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the general election (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR. 111.43, these committees should be assessed the civil money penalties included on the attached report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a

**2. Send the appropriate letters.**

**2. Send the appropriate letters.**

Federal Election Commission  
Reason to Believe Circulation Report  
2016 OCTOBER QUARTERLY Election Sensitive 10/15/2016 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3154	C00492264	DEM CD CONGRESS CENTRAL VALLEY		LORAIN GOODWIN	\$111,205 (est)	0	10/31/2016	16	\$21,778 (est)	\$401
3155	C00387894	GCI PAC		CHRIS NIERMAN	\$113,193	0	11/14/2016	Not Filed	\$18,543	\$1,157
3156	C00486860	MIDDLE CLASS AMERICA PAC		MIRIAM TAI	\$104,535	0	10/24/2016	9	\$38,500	\$698
3157	C00571950	MILLENNIALS RISING PAC		MICHELLE GOODWIN	\$107,007	0		Not Filed	\$26,752 (est)	\$1,800
3158	C00614172	PARTNERSHIP ORANGE PILGRIMS ALLIANCE PARTY		GIANNI DONATES ABIDUN LAUREL- SMITH	\$122,044	0		Not Filed	\$122,044 (est)	\$6,834
3159	C00570937	COMMITTEE PRIORITIES FOR IOWA			\$111,510	0	11/4/2016	Not Filed	\$111,510	\$6,834
3160	C00568170	POLITICAL FUND SWING STATES FOR A CONSERVATIVE WHITE HOUSE PAC INC		SARA CRAIG OFFICE OF TREASURER	\$192,401	2	10/21/2016	6	\$171,154	\$4,305
3161	C00362632				\$134,449	0		Not Filed	\$44,816 (est)	\$1,800
3162	C00603472	WE ARE FEARLESS AND UNITED		KISHA MAYS	\$1,083,523	0		Not Filed	\$541,762 (est)	\$15,036

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3161  
Reason To Believe Recommendation – )  
2016 October Quarterly Report (Election )  
Sensitive) for the Administrative Fine )  
Program: Swing States for a )  
Conservative White House PAC Inc. and )  
Office of Treasurer )

CERTIFICATION


I, Dayna C. Brown, Acting Secretary and Clerk of the Federal Election  
Commission, do hereby certify that on December 09, 2016, the Commission  
decided by a vote of 6-0 to take the following actions in AF 3161:

1. Find reason to believe that Swing States for a Conservative White House PAC, Inc. and Office of Treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$1,800 be assessed.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub  
voted affirmatively for the decision.

Attest:

December 9, 2016  
Date

  
Dayna C. Brown  
Acting Secretary and Clerk of the  
Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 9, 2016

Office of Treasurer, in official capacity as Treasurer  
Swing States for a Conservative White House PAC Inc.  
717 Whitehills Drive  
East Lansing, MI 48823

C00362632  
AF#: 3161

Dear Office of Treasurer:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period July 1, 2016 through September 30, 2016, shall be filed no later than October 15, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report prior to four (4) days before the general election held on November 8, 2016, the report is considered not filed for the purpose of calculating the civil money penalty. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On December 9, 2016, the FEC found that there is reason to believe ("RTB") that Swing States for a Conservative White House PAC Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 15, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,800. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,800 is due within forty (40) days of the finding, or by January 18, 2017, and is based on these factors:

Sensitivity of Report: Election Sensitive  
Level of Activity: \$44,816  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or January 18, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Swing States for a Conservative White House PAC Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

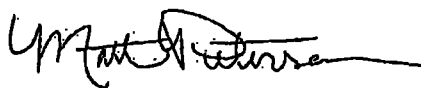
**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chair



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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,800 for the 2016 October Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Swing States for a Conservative White House PAC Inc.

FEC ID#: C00362632

AF#: 3161

PAYMENT DUE DATE: January 18, 2017

PAYMENT AMOUNT DUE: \$1,800



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAY 10 2017

2017 MAY 10 PH 1:40

May 10, 2017

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *BH for KDR*  
Kristin D. Roser/Ben Holly *BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2016 October Quarterly Report (Election Sensitive)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 October Quarterly Report (Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

The Reports Analysis Division (RAD) recommends that the Commission take no further action against Pilgrims Alliance Party Committee (AF 3159). After RTB, it was discovered that the committee may not have reported actual campaign finance related activity on the 2016

**October Quarterly Report.**

further action against Pilgrims Alliance Party Committee.

As such, RAD recommends no

For your information, three (3) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Millennials Rising PAC (AF 3157) filed the 2016 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$329 (previously estimated to be \$26,752), thus the fine would be lowered from \$1,800 to \$329. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$1,471).

Partnership Orange (AF 3158) filed the 2016 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$54 (previously estimated to be \$122,044), thus the fine would be lowered from \$6,834 to \$54.

We are Fearless and United (AF 3162) disclosed no activity after the RTB finding (previously estimated to be \$541,762), which would result in no civil money penalty (fine previously assessed to be \$15,036).

- Middle Class America PAC (AF 3156) filed an Amended Statement of Organization after the RTB finding designating Jim Broeking as Treasurer.

**RAD Recommendation**

- (1) Take no further action against Pilgrims Alliance Party Committee and Abiodun Laurel-Smith, in his official capacity as treasurer, in regards to AF 3159.
- (2) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.
- (3) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
- (4) Send the appropriate letters.

**Federal Election Commission**  
**FD Circulation Report Fine Paid**  
**2016 OCTOBER QUARTERLY Election Sensitive 10/15/2016 H\_S\_P\_UNAUTH**

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3155	GCI PAC		C00387894	CHRIS NIERMAN	11/14/2016	Not Filed	\$18,543	0	12/09/2016	\$1,157	\$1,157	1/23/2017	\$1,157
3158	MIDDLE CLASS AMERICA PAC		C00486860	JIM BROEKGING	10/24/2016	Not Filed	\$38,500	0	12/09/2016	\$698	\$698	2/1/2017	\$698
3157	MILLENNIALS RISING PAC		C00571950	MICHELLE GOODWIN	01/19/2017	Not Filed	\$329	0	12/09/2016	\$1,800	\$329	1/19/2017	\$1,800*

\* This committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty and will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. This committee paid the civil money penalty assessed at RTB; therefore, we will issue a refund for the difference.

Federal Election Commission  
FD Circulation Report: Fine Not Paid  
2016 OCTOBER QUARTERLY Election Sensitive 10/15/2016 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3154	DEM CD CONGRESS CENTRAL VALLEY		C00492284	LORRAINE GOODWIN	10/31/2016	16	\$21,778 (est)	0	12/09/2016	\$401	152	\$401
3158	PARTNERSHIP ORANGE		C00614172	GIANNI DONATES	12/17/2016	Not Filed	\$54	0	12/09/2016	\$6,834	152	\$54
3159	PILGRIMS ALLIANCE PARTY COMMITTEE		C00570937	ABIODUN LAUREL-SMITH	11/04/2016	Not Filed	\$111,510	0	12/09/2016	\$6,834	152	NFA
3160	PRIORITIES FOR IOWA POLITICAL FUND		C00588170	SARA CRAIG	10/21/2016	6	\$171,154	2	12/09/2016	\$4,305	152	\$4,305
3161	SWING STATES FOR A CONSERVATIVE WHITE HOUSE PAC, INC.		C00362632	OFFICE OF TREASURER		Not Filed	\$44,816 (est)	1	12/09/2016	\$1,800	152	\$1,800
3162	WE ARE FEARLESS AND UNITED		C00603472	KISHA MAYS		Not Filed	\$0	0	12/09/2016	\$15,036	152	NONE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3161  
Administrative Fine Program - Final )  
Determination Recommendation for the )  
2016 October Quarterly Report (Election )  
Sensitive): Swing States for a )  
Conservative White House and Office of )  
Treasurer )

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election  
Commission, do hereby certify that on May 12, 2017, the Commission decided  
by a vote of 5-0 to take the following actions in AF 3161:

1. Make a final determination that Swing States for a Conservative  
White House and Office of Treasurer, violated 52 U.S.C. § 30104(a)  
and assess the final civil money penalty in the amount of \$1,800.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

Attest:

May 15, 2017  
Date

Dayna C. Brown  
Dayna C. Brown  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 16, 2017

Office of Treasurer  
Swing States for a Conservative White House PAC, Inc.  
717 Whitehills Drive  
East Lansing, MI 48823

C00362632  
AF#: 3161

Dear Office of Treasurer:

On December 9, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Swing States for a Conservative White House PAC, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 October Quarterly Report. By letter dated December 9, 2016, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$1,800 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the 2016 October Quarterly Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on May 12, 2017 that Swing States for a Conservative White House PAC, Inc. and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$1,800 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive  
Level of Activity: \$44,816  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be

modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

## **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### **4. Partial Payments**

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

### **5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted

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payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Ben Holly at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in cursive script, appearing to read "Steven T. Walther".

Steven T. Walther  
Chair

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,800 for the 2016 October Quarterly Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Swing States for a Conservative White House PAC, Inc.

FEC ID#: C00362632

AF#: 3161

PAYMENT AMOUNT DUE: \$1,800

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 3161